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C O N F I D E N T I A L SECTION 01 OF 03 KATHMANDU 000877

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TAGS: [PGOV](#) [PREL](#) [PHUM](#) [KDEM](#) [IN](#) [NP](#)
SUBJECT: NEPAL: UNMIN HEAD SHARES DOUBTS ABOUT PEACE
PROCESS

Classified By: Charge d' Affaires, a.i., Jeffrey A. Moon. Reasons 1.4 (b/d).

11. (C) Summary: Unless the Maoists are "drawn into the political process," progress on constitution drafting and military integration and rehabilitation will be very difficult, according to UNMIN head Karin Landgren. Landgren told visiting Defense DAS Scher that solutions to the technical aspects of military integration and rehabilitation can be found, but that the key parties must first reach political agreement on this sensitive issue. The latest violations of the Comprehensive Peace Agreement underscore the importance of moving quickly on integration and the dismissal of the 4,008 disqualified combatants. UNMIN is using the deadline of its next UNSC report in mid-October to press for progress on the peace process. End Summary.

12. (C) Deputy Assistant Secretary of Defense Robert Scher, accompanied by Charge, met on September 16 with Karin Landgren, the Representative of the Secretary-General and head of the United Nations Mission in Nepal (UNMIN), UNMIN Chief Advisor Gordon Hughes, and UNMIN Political Officer Kathy Jones, at UNMIN's Kathmandu offices. Landgren provided a detailed overview of the political and security situation.

Dialogue, Unity Government Needed

13. (C) In Landgren's view, the Maoists must be "drawn into the political process." If not, neither the constitution drafting nor integration will move forward. The exclusion of the Maoists from government only "gives fuel to the Maoist hardliners." Meeting the Maoist demands surrounding "civilian supremacy" over the military is critical to moving the process forward. (Note: Maoist PM Dahal resigned in protest in May when the President overturned his decision to fire the Nepal Chief of Army Staff (CoAS). Since then, the Maoists have demanded a debate in parliament on whether the civilian Prime Minister was "supreme" over the Army. End Note.) Landgren argued that the Maoists are "in a box" and need a "face-saving" way out. While they would like the President to admit he was wrong when he overturned the PM's decision, they will settle for a guarantee that the President will not, in the future, trump the decisions of the Prime Minister related to the military. Landgren opined that a constitutional amendment restricting the President's powers was a possible solution. On the other side, the Nepal Army and some parties view the President as the ultimate check on

Maoist designs to take over the military, should they return to power, and are reluctant to cede his authority.

¶4. (C) UNMIN supports the creation of a "high-level" mechanism to promote systematic political dialogue among the key leaders, focused on core peace process issues. The Maoists have conditioned their participation on resolution of the "civilian supremacy" issue, but UNMIN is encouraging them to participate without precondition. While Landgren acknowledged that some view the high-level mechanism as "G.P.'s baby" (referring to Nepali Congress leader G.P. Koirala), UNMIN does not see any alternative at this point.

¶5. (C) The recent "harsh" rhetoric from the Prime Minister about the Maoists -- suggesting, for example, the Maoists would go the way of the LTTE in Sri Lanka -- does not "build confidence," Landgren said. A solution would be easier if the Maoists were "treated with a degree of respect." The Maoists also need to stop the street violence, which could "spin out of control." If they continue the protests, the Maoists risk "painting themselves into a corner." (Comment: Landgren failed to mention the recent and sustained militant language promulgated by the top Maoist leadership. End Comment.)

Constitution Differences

¶6. (C) UNMIN hopes that the parties will move quickly on drafting the constitution, but Landgren noted that there has been little progress on the key constitutional issues,

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particularly federalism and executive power. Asked by Charge whether she envisions a solution to the federalism debate, Landgren admitted she did not. Federalism is the "single most difficult issue," Landgren said, with stark differences between the parties.

Military Integration and Rehabilitation

¶7. (C) Landgren said that UNMIN continues to press the Government of Nepal to develop a comprehensive action plan on the integration and rehabilitation of Maoist combatants. The resumption of the work of the Special Committee on Integration and Rehabilitation, following key concessions from the Maoists and the composition and chair of the committee, is encouraging. Former CoAS Katawal was an "impediment" to integration, Landgren claimed, and his retirement is positive. Advisor Hughes reported that the Nepal Army's view toward integration is "changing," with a growing acceptance that some Maoist combatants will join the army. Landgren is encouraging the parties to begin to discuss the overall number of Maoists to be integrated into the Nepal Army. While UNMIN has no formal position on the number, it is unrealistic to expect that no Maoist soldiers will be integrated. Like the constitution, Landgren doubted that agreement on military integration and rehabilitation would be possible without a broader political agreement.

¶8. (C) UNMIN itself is not pushing a particular model of integration, and has never received a formal request for assistance. (The Nepalis do not want to be seen to be accepting international assistance in this highly sensitive area.) The work of the Technical Committee, advising the Special Committee, has been helpful, including the recent recommendations on a code of conduct and supervision plan. On the technical issues of integration, Landgren and Advisor Hughes were optimistic that solutions could be found. Hughes outlined some of the key principles that should guide the process: (1) giving the Maoist combatants a free choice to join the security forces, enter society as a civilian, or join party politics; (2) agreeing on a transparent and logical number for integration; (3) carefully setting up criteria for rank allocation; and (4) applying flexible standards for admission, including some type of "bridging" training.

¶9. (C) Landgren also noted that the Nepal Army's attempt to recruit new soldiers, "in violation of the peace agreements," appears to be on hold, which she views as a very positive development. The import of lethal weapons to the Nepal Army or police would also violate the peace accords, undermine confidence, and be "provocative." Recent suggestions from the Indian Ambassador presenting a different interpretation of the peace agreements -- which would permit the import of lethal weapons -- are "unhelpful."

Cantonments

¶10. (C) Stressing the importance of moving quickly on integration and rehabilitation, Landgren noted that the cantonments housing the Maoist combatants were always meant to be temporary. While the UN Secretary General's latest report urged the parties to consider alternatives to the current camps, Landgren does not see any other possibilities.

Despite UNMIN's narrow mandate -- only monitoring the management of arms -- and unarmed presence, the parties continue to have some degree of trust in UNMIN. While the longer the Maoist combatants remain the camps the more dangerous for the process, Landgren pointed out that there have been no major violations of the cease-fire and no shots fired. In this sense, the "very light" UNMIN monitoring role might be a model for other UN operations. Advisor Hughes credited the Maoists' and Nepal Army's "chain of command" for keeping their troops under control.

Dismissal of the Disqualified

¶11. (C) UNMIN continues to press aggressively for the

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discharge of the 4,008 disqualified Maoist combatants, which Landgren called a "running sore" and "irritant." Particularly important is movement on the approximately 3,000 who are identified as "child soldiers," even though many are now older than 18. Maoist leader Dahal promised the UN Secretary General in December 2008 that he would release the disqualified and publicly committed to do so again July 6. Landgren is somewhat encouraged that there is a dialogue between the Maoists and Ministry of Peace and Reconstruction on this issue. The key UN agencies, UNDP and UNICEF, are prepared to support whatever political agreement is reached on the timing, training, and process for discharging the disqualified Maoist combatants.

India's Strong Role

¶12. (C) Landgren stressed the critical role that India plays in Nepal. The perception in Nepal is that India does not want the Maoists to return to power. During Landgren's recent trip to New Delhi, she met with the MEA Joint Secretary who said that India is "comfortable" with the current coalition government. UNMIN heard reports that India would like the current regime to govern for another eight months or so, or at least until the end of the year. Some have alleged that India wants to create fissures among the Maoists; Landgren questioned how this could serve the interests of peace. Landgren hoped that the new Indian Foreign Secretary, Nabindra Rao, who recently visited Nepal, would have a more "realistic assessment" of the political situation, especially given her recent service as India's Ambassador to China.

Terai Could Derail Process

¶13. (C) While not part of UNMIN's mandate, Landgren said that the continuing instability in the southern Terai belt bordering India could derail the peace process. The Home Minister's new special security plan has been handled "insensitively," Landgren claimed, and is viewed with the Madhesi parties as "anti-Madhes." UNMIN has not seen the written details of the security strategy, despite many

requests.

Next UN Report

¶14. (C) UNMIN tries to leverage the quarterly reports to the UNSC to press for progress on the peace process. The next report is due in New York in mid-October, and will be debated by the UNSC on November 6.

Comment

¶15. (C) UNMIN is widely considered to be "biased" in favor of the Maoists, and it needs to work to build credibility with the Nepal Army and non-Maoist political parties. That said, UNMIN's presence, however flawed and limited, remains useful, deterring (at least the more egregious) violations of the Comprehensive Peace Agreement.
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